REMARKS

By this Amendment, claims 1-2, 7, 9, 15-16, 21, 23 and 25 are amended. Claims 3-6, 8, 10-14, 17-20, 22, 24 and 26 remain in the application. Thus, claims 1-26 are active in the application. Reexamination and reconsideration of the application are respectfully requested.

The substitute specification filed on July 19, 2006 is revised herein to correct a grammatical error. Specifically, the word "as" was incorrectly removed from the sentence beginning on line 26 on page 11 and ending on line 1 on page 12 of the substitute specification (corresponding to lines 11-12 on page 11 of the original specification). The revision to the specification does not add new matter. Accordingly, approval and entry of the revision of the substitute specification are respectfully requested.

In item 3 on page 2 of the Office Action, claims 1-5, 7-13, 15-19 and 21-26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Clarkson (U.S. Patent Application Publication No. 2003/0046305) in view of Brown (U.S. 6,101,478), and further in view of Joao (U.S. 6,283,761) and Gordon (Gordon, Thomas, "Making your Patient your Partner; Communication Skills for Doctors and Other Caregivers").

Without intending to acquiesce to this rejection, independent claims 1, 15 and 25 have each been amended in order to more clearly illustrate the marked differences between the present invention and the applied references. Accordingly, the Applicants respectfully submit that the present invention is patentable over the applied references for the following reasons.

The present invention provides a communication system for providing information of a medical doctor's questions to patients. The communication system comprises a medical doctor terminal apparatus, a patient terminal apparatus, and a database server apparatus that are separate elements from each other in the communication system but are connected to each other through a communication network.

The present invention provides that the patient terminal apparatus receives question sets from the database apparatus. As described beginning at line 19 on page 23 of the substitute specification (line 22 on page 22 of the original specification), the

questions sets received by the patient terminal apparatus from the database server apparatus (A) each include at least one of data and parameters which are dependent on a particular patient among a plurality of patients, and the question sets are not executable programs. Accordingly, the question sets, which are not executable programs, received by the patient terminal apparatus are tailored to a particular patient and are not common questions disseminated to all patients.

The present invention also provides that the patient terminal apparatus is equipped with a resident operating program for performing the processes of the patient terminal apparatus (see lines 8-11 on page 15 of the substitute specification, corresponding to lines 17-20 on page 14 of the original specification). The present invention provides that the patient terminal (B) stores a resident operating program which is not dependent on a particular patient and which is for processing the question sets received from the database server apparatus.

Furthermore, the present invention provides that the patient terminal generates question programs, which are dependent on a particular patient among a plurality of patients, for making inquiries about a medical doctor's questions to the particular patient in accordance with the questions sets received from the database server apparatus. In particular, the patient terminal (C) generates the question programs by using the resident operating program of the patient terminal in combination with the question sets received from the database server apparatus so as to generate question programs *tailored to the particular patient*.

Accordingly, the patient terminal generates question programs, which are dependent on a particular patient, for making inquiries about a medical doctor's questions to the particular patient in response to the question sets, which are tailored to the particular patient, received by the patient terminal from the database server apparatus. Furthermore, the patient terminal uses its resident operating program in combination with the patient specific question sets to generate question programs *tailored to the particular patient.*

Claims 1 and 15 have each been amended to recite features (A)-(C) described above.

In particular, claims 1 and 15 each recite the patient terminal as comprising (first) receiving means for receiving the question sets from the database server apparatus, where the question sets (A) each include at least one of data and parameters which are dependent on a particular patient among a plurality of patients, and the question sets are not executable programs.

Claims 1 and 15 each recite the patient terminal as further comprising (B) program storing means for storing a resident operating program which is not dependent on a particular patient and which is for processing the question sets received from the database server apparatus.

Further, claims 1 and 15 each recite the patient terminal as comprising (C) generating means for generating question programs, which are dependent on a particular patient among a plurality of patients, for making inquiries about a medical doctor's questions to the particular patient in accordance with the question sets received from the database server apparatus by the (first) receiving means, where the question sets are dependent on the particular patient. Claims 1 and 15 each recite that the generating means generates the question programs by using the resident operating program of the patient terminal in combination with the question sets received from the database server apparatus so as to generate question programs *tailored to the particular patient*.

Clarkson discloses a computing system 101 which patients and a medical practitioner access. The computing system 101 includes a database 106 and application software stored in a memory, where the application software operates in response to information received from the medical practitioner, a patient and information stored in the database (see paragraph [0050] and Figure 2).

However, in contrast to the inventions of claims 1 and 15, the "question sets" received by a patient's terminal are executable programs which are executed by the computing system 101 (see paragraphs [0059]-[0063], [0071]-[0072], [0090], [0099], [0103] and [0106]). In particular, Clarkson discloses that a template table 28 stored in the database 106 includes tests that may be performed by a patient and the patient selects an answer from a list of predetermined answers (see paragraph [0071]). Further, as noted by the Examiner, Clarkson discloses that each answer given by the patient causes the computing system 101 to automatically activate a sub-question responsive to the patient's

answer. In other words, the computing system 101 automatically generates sub-questions in response to each answer given by the patient (see paragraph [0063]).

Furthermore, the "question sets" received by the patient's terminal of Clarkson do not include at least one of data and parameters which are dependent on a particular patient among a plurality of patients. Instead, the "question sets" of Clarkson are standard tests given to all patients. The number of questions contained in the standard tests may be reduced based on a patient's previous answers (see paragraph [0099]), but the patient is asked the same standard set of questions that are asked of all patients.

Accordingly, Clarkson clearly does not disclose or suggest **(A)** (first) receiving means for receiving the question sets from the database server apparatus, where the question sets each include at least one of data and parameters which are dependent on a particular patient among a plurality of patients, and the question sets are not executable programs, as recited in claims 1 and 15.

Moreover, Clarkson does not disclose or suggest that the patient's terminal includes **(B)** program storing means for storing a resident operating program which is not dependent on a particular patient and which is for processing the received question sets. Instead, Clarkson merely discloses that the patient's terminal includes entry means (e.g., keyboard 103 and mouse 105) that the patient uses to select an answer among the possible answers to a particular question.

Furthermore, Clarkson does not disclose or suggest **(C)** generating means for generating question programs, which are dependent on a particular patient among a plurality of patients, for making inquiries about a medical doctor's questions to the particular patient in accordance with the question sets received from the database server apparatus, where the generating means generates the question programs by using the operating program stored in the program storing means in combination with the question sets received from the database server apparatus so as to generate question programs tailored to the particular patient.

Instead, as noted by the Examiner, Clarkson merely presents a plurality of questions to a patient, which are the same standard set of questions given to all patients, and the patient selects an answer among possible predefined answers provided to the patient. After the patient selects a predefined answer in response to a first question and

then selects a predefined answer in response to a follow-up question, the patient continues to select predefined answers until the test is completed.

However, the patient's terminal clearly is not disclosed or suggested as generating question programs, which are tailored to a particular patient, by using the operating system of the patient's terminal in combination with the question sets received by the patient terminal. Instead, as described above, the patient merely selects one predefined answer among a plurality of predefined answer. The predefined answers, however, are clearly not generated by the patient's terminal, as the predefined answers are created by the medical practitioner.

Accordingly, Clarkson clearly does not disclose or suggest the patient terminal as comprising (C) generating means for generating question programs, which are dependent on a particular patient among a plurality of patients, for making inquiries about a medical doctor's questions to the particular patient in accordance with the question sets, which are dependent on the particular patient, received from the database server apparatus, where the generating means generates the question programs by using the operating program stored in the program storing means in combination with the question sets received from the database server apparatus so as to generate question programs tailored to the particular patient.

Therefore, Clarkson clearly fails to disclose or suggest features (A)-(C) as recited in claims 1 and 15.

Similar to Clarkson, Brown, Joao and Gordon also fail to disclose or suggest features (A)-(C) of claims 1 and 15. In particular, Brown and Joao each disclose that "question sets" are executable programs transmitted to a patient terminal and that the "question sets" are not dependent on a particular patient. That is, similar to Clarkson, Brown and Joao disclose that that standard question sets are given to each patient.

Furthermore, similar to Clarkson, Brown and Joao each fail to disclose or suggest that a patient terminal apparatus includes generating means for generating patient-dependent question programs in accordance with received question sets, where the patient-dependent question programs are generated by using the operating program of the patient terminal in combination with the received patient-dependent question sets.

Gordon merely discloses that a doctor asks follow-up questions to a patient in response to a patient's response to a previous question.

Accordingly, Clarkson, Brown, Joao and Gordon, either individually or in combination, clearly fail to disclose or suggest features (A)-(C) of claims 1 and 15.

Consequently, the Applicants respectfully submit that no obvious combination of Clarkson, Brown, Joao and Gordon would result in the inventions of claims 1 and 15, since Clarkson, Brown, Joao and Gordon, either individually or in combination, clearly fail to disclose or suggest each and every limitation of claims 1 and 15.

Therefore, the Applicants respectfully submit that claims 1 and 15 are clearly patentable over Clarkson, Brown, Joao and Gordon.

Claim 25 has been amended to more clearly define the marked differences between the medical doctor terminal apparatus of the present invention over the applied references.

The medical doctor terminal apparatus of claim 25 comprises first receiving means for receiving answer data stored in the database server apparatus by the patient terminal apparatus, by accessing the database server apparatus, and displaying the received answer data. Further, the medical doctor terminal apparatus of claim 25 comprises transmitting and storing means for entering a remedy policy for a patient, transmitting the entered remedy policy to the database server apparatus, and storing the transmitted remedy policy in the database server apparatus.

Accordingly, claim 25 recites that the medical doctor terminal apparatus receives and displays answer data stored in the database server apparatus by the patient terminal apparatus, and transmits and stores a remedy policy for a patient in the database server apparatus.

As described beginning at line 1 on page 33 of the substitute specification (line 18 on page 31 of the original specification) with reference to Figures 14 and 28, the present invention provides that medical doctor terminal apparatus receives the stored remedy policy which was entered previously for the patient, by accessing the database server apparatus, and displaying the received remedy policy which was entered previously. Further, the present invention provides that the medical doctor terminal apparatus reviews the displayed answer data together with the displayed remedy policy which was entered

previously for the patient, and additionally enters a new remedy policy for the patient with reference to the displayed answer data and the displayed remedy policy which was entered previously for the patient. The present invention provides that the new remedy policy is one of an addition to and a substitute of the displayed remedy policy which was entered previously for the patient.

Accordingly, by reviewing the stored answer data and the previously entered remedy policy for the patient, the medical doctor terminal apparatus enables the medical doctor to determine the appropriateness of the previously entered remedy policy by viewing the previously entered remedy policy together with the displayed answer data from the patient terminal. If it is determined, for example, that the previously entered remedy policy is inappropriate or ineffective for the displayed answer data, the medical doctor terminal can then enter a new remedy policy for the patient.

Claim 25 has been amended to recite this feature of the present invention.

In particular, claim 25 recites the medical doctor terminal apparatus as comprising second receiving means for receiving the stored remedy policy which was entered previously for the patient, by accessing the database server apparatus, and displaying the received remedy policy which was entered previously.

Further, claim 25 recites the medical doctor terminal apparatus as further comprising reviewing and entry means for reviewing the displayed answer data together with the displayed remedy policy which was entered previously for the patient, and additionally entering a new remedy policy for the patient with reference to the displayed answer data and the displayed remedy policy which was entered previously for the patient, where the new remedy policy being one of an addition to or a substitute of the displayed remedy policy which was entered previously for the patient.

As described above, Clarkson discloses that an automatically generated question is presented to a patient based on his/her selection of a predefined answer to a previous question. Clarkson, however, clearly does not disclose or suggest a medical doctor terminal apparatus as displaying past answer data of a patient together with past remedy policy for the patient, and entering a new remedy policy for the patient with reference to the displayed past remedy policy, where the new remedy policy is one of an addition to or a substitute of the displayed past remedy policy, as recited in claim 25.

Similarly, Brown, Joao and Gordon also each fail to disclose or suggest the reviewing and entry means of claim 25.

In particular, Gordon merely discloses that a doctor can ask follow-up questions to a patient in response to a patient's response to a previous question.

Accordingly, Clarkson, Brown, Joao and Gordon clearly fail to disclose or suggest each and every limitation of claim 25.

Consequently, the Applicants respectfully submit that no obvious combination of Clarkson, Brown, Joao and Gordon would result in the inventions of claim 25, since Clarkson, Brown, Joao and Gordon, either individually or in combination, clearly fail to disclose or suggest each and every limitation of claims 25.

Therefore, the Applicants respectfully submit that claim 25 is clearly patentable over Clarkson, Brown, Joao and Gordon.

For at least the foregoing reasons, the Applicants respectfully submit that claims 1, 15 and 25 are clearly patentable over Clarkson, Brown, Joao and Gordon, since Clarkson, Brown, Joao and Gordon, either individually or in combination, fail to disclose or suggest each and every limitation of claims 1, 15 and 25.

In item 4 on page 11 of the Office Action, claims 6, 14 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Clarkson in view of Brown, Joao and Gordon and further in view of Bair et al. (U.S. 6,108,665, hereinafter "Bair").

As demonstrated above, Clarkson, Brown, Joao and Gordon each fail to disclose or suggest features (A)-(C) of claims 1 and 15 as well as the reviewing and entry means of claim 25. Similarly, Bair also fails to disclose or suggest features (A)-(C) of claims 1 and 15 and the reviewing and entry means of claim 25. Therefore, Bair clearly does not cure the deficiencies of Clarkson, Brown, Joao and Gordon for failing to disclose or suggest each and every limitation of claims 1, 15 and 25.

Therefore, the Applicants respectfully submit that the teachings of Clarkson, Brown, Joao, Gordon and Bair clearly do not meet each and every limitation of claims 1, 15 and 25.

Furthermore, it is submitted that the clear distinctions discussed above are such that a person having ordinary skill in the art at the time the invention was made would not have been motivated to modify Clarkson, Brown, Joao, Gordon and Bair in such a

manner as to result in, or otherwise render obvious, the present invention as recited in claims 1, 15 and 25.

Therefore, the Applicants respectfully submit that claims 1, 15 and 25, as well as claims 2-14, 16-24 and 26 which depend therefrom, are clearly allowable over the prior art as applied by the Examiner.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is respectfully solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

A fee and a Petition for a one-month Extension of Time are filed herewith pursuant to 37 CFR § 1.136(a).

Respectfully submitted,

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